



# Title V Operating Permit

Permit No: **TV-OP-003**

Date Issued: **September 30, 1998, amended December 21, 1998 & February 18, 1999, Minor Modification November 22, 1999**

This certifies that:

**Batesville Manufacturing, Inc.**  
**55 Palm Street**  
**Nashua, NH 03060**

has been granted a Title V Operating Permit for the following facility and location:

**Batesville Manufacturing, Inc.**  
**55 Palm Street**  
**Nashua, NH 03060**  
**AFS Point Source Number - 3301100093**

This Title V Operating Permit is hereby issued under the terms and conditions specified in the Title V Operating Permit Application filed with the New Hampshire Department of Environmental Services (DES) on **May 3, 1996** under the signature of the following responsible official certifying to the best of their knowledge that the statements and information therein are true, accurate and complete.

Responsible Official:

**Melvin Reid**  
**Plant Manager**  
**(603) 886-3600**

Technical Contact:

**Ted Athas**  
**Engineering Manager**  
**(603) 886-3600**

This Permit is issued by the New Hampshire Department of Environmental Services, Air Resources Division pursuant to its authority under New Hampshire RSA 125-C and in accordance with the provisions of Code of the Federal Regulations 40 Part 70.

This Title V Operating Permit shall expire on **September 30, 2003**

**SEE ATTACHED SHEETS FOR ADDITIONAL PERMIT CONDITIONS**

For the New Hampshire Department of Environmental Services, Air Resource Division

---

Director, Air Resources Division

**TABLE OF CONTENTS**

<b>Permit Section Number</b>	<b>Title V Operating Permit Condition</b>	<b>Page Number</b>
	Facility Specific Title V Operating Permit Conditions	
I.	Facility Description of Operations	4
II.	Permitted Activities	4
III.	Significant Activities Identification - Table 1. -Stack Criteria - Table 2.	4-5
IV.	Insignificant Activities Identification	5
V.	Exempt Activities Identification	6
VI.	Pollution Control Equipment Identification - Table 3.	6
VII.	Alternative Operating Scenarios	7
VIII.	Applicable Requirements	7
VIII A.	VOC RACT Requirements	7-8
VIII B.	State-only Enforceable Operational and Emission Limitations - Table 4	9-10
VIII C.	Federally Enforceable Operational and Emission Limitations - Table 5	10-11
VIII D.	Emissions Reduction Trading	11
VIII D.	Monitoring and Testing Requirements - Table 6.	12-13
VIII E.	Record keeping Requirements - Table 7.	14-17
VIII F.	Reporting Requirements - Table 8.	17-19
IX.	Requirements Not Currently Applicable - Table 9.	19-20
	General Title V Operating Permit Conditions	
X.	Issuance of a Title V Operating Permit	20
XI.	Title V Operating Permit Renewal Procedures	20
XII.	Application Shield	20
XIII.	Permit Shield	21-22
XIV.	Reopening for Cause	22
XV.	Administrative Permit Amendments	22
XVI.	Operational Flexibility	22-23

<b>Permit Section Number</b>	<b>Title V Operating Permit Condition</b>	<b>Page Number</b>
XVII.	Minor Permit Amendments	24
XVIII.	Significant Permit Amendments	24
IXX.	Title V Operating Permit Suspension, Revocation or Nullification	24
XX.	Inspection and Entry	25
XXI.	Certifications	25-26
XXII.	Enforcement	26
XXIII.	Emission-Based Fees	26-27
XXIV.	Duty to Provide Information	27
XXV	Property Rights	27
XXVI	Severability Clause	27
XXVII	Emergency Conditions	28
XXVIII	Permit Malfunctions and Deviations	28-29

## Facility Specific Title V Operating Permit Conditions

### I. Facility Description of Operations:

Batesville Casket Company, Inc. produces wooden burial caskets at its manufacturing facility located in Nashua, NH. All Caskets are built from milled lumber which is cut, shaped and glued, and then stained, sealed, toned, lacquered and polished. Wood shaping operations (cutting, molding, sanding) and finishing operations (staining, sealing, toning and lacquer) constitute the primary sources of emissions of regulated air pollutants at the facility. In addition to the foregoing mainline production operations, Batesville is permitted to operate spray booth #11B as either a touch-up and repair booth for mainline production or for the application of water-based coatings for non-mainline production of casket lids.<sup>1</sup>

### II. Permitted Activities:

In accordance with all of the applicable requirements identified in this Permit, the Permittee is authorized to operate the devices and or processes identified in Sections III, IV, V and VI within the terms and conditions specified in this Permit.

### III. Significant Activities Identification:

- A. The activities identified in the following table (Table 1) are subject to and regulated by this Title V Operating Permit:

Table 1 - Significant Activity Identification			
Emission Unit Number (EU#)	Description of Emission Unit	Exhaust Stack Identification	Emissions Unit Maximum Allowable Permitted Capacity
EU1	Spray Booth #1 - Stain	Stack #1	Combined facility-wide VOC emissions of 348 tons for any consecutive 12 month period.
EU2	Spray Booth #2 - Stain	Stack #2	
EU3	Spray Booth #3 - Sealer	Stack #3 and #4	
EU5	Spray Booth #5 - Sealer	Stack #6	
EU6	Spray Booth #6 -Off line Toner	Stack #7 and #8	
EU7	Spray Booth #7 - Lacquer	Stack #9 and #10	
EU9	Spray Booth #9 - Bar and Lug Stain	Stack #12	
EU10	Spray Booth #10 - Bar and Lug Lacquer	Stack #13	
EU11	Spray Booth #11A - Repair <u>#11B - Repair and Waterbase Coatings</u>	Stack #14 and #16	
EU12	Spray Booth #12 - Stripper	Stack #15	

---

<sup>1</sup> This condition was added to the Title V permit on November 22, 1999 as a result of the minor modification application submitted by Batesville Manufacturing, Inc. on September 17, 1999. Potential emissions from non-mainline waterbase coating operations conducted in Spray Booth 11B shall not exceed 9 tons over any consecutive 365 day period. Maximum potential production rate shall not exceed 38 units over any consecutive 24 hour period, or 14,016 units over any consecutive 365 day period.

Table 1 - Significant Activity Identification			
EU4	Spray Booth #4 - Toning	Stack #5	Combined 40 tons VOC emissions for any consecutive 12 month period for EU#s 4&8.
EU8	Spray Booth #8 - Lacquer	Stack #11	

**Stack Criteria:**

- B.** The following stacks for the above listed significant devices at this facility shall meet the following criteria in accordance with the state-only modeling requirements specified in Env-A 1300 and Env-A 1400:

Table 2 - Stack Criteria		
Stack #	Minimum Stack Height (Feet)	Maximum Stack Diameter (Feet)
Stack #1	56	3.0
Stack #2	60	3.0
Stack #3	60	1.5
Stack #4	60	1.5
Stack #5	61	2.8
Stack #6	59	3.0
Stack #7	60	2.0
Stack #8	60	2.0
Stack #9	62	2.0
Stack #10	61	2.0
Stack #11	61	3.0
Stack #12	60	2.0
Stack #13	60	3.0
Stack #14	55	3.0
Stack #15	60	3.0
Stack #16	55	1.3

Changes to the stack parameters (set forth in Table 1 and 2) shall be allowable provided the Permittee documents compliance with all applicable Ambient Air Limits in accordance with Env-A 1305.02 and Part Env-A 1406. Documentation of compliance shall be maintained at the facility for review by the DES upon request. This is a state-only requirement.<sup>2</sup>

---

<sup>2</sup>The term “state-only requirement” is used to refer to those requirements that are not federally enforceable but are state requirements as defined in Env-A 101.243.

**IV. Insignificant Activities Identification:**

All activities at this facility that meet the criteria identified in Env-A 609.03(g), shall be considered insignificant activities. Emissions from the insignificant activities shall be included in the total facility emissions for the emission-based fee calculation described in Section XXIII of this Permit.

**V. Exempt Activities Identification:**

All activities identified in Env-A 609.03(c) shall be considered exempt activities and shall not be subject to or regulated by this Title V Operating Permit. Emissions from exempt activities shall not be included in the total facility emissions for the emission based fee calculation described in Section XXIII. of this Permit.

**VI. Pollution Control Equipment and Techniques Identification:**

The devices and/or processes identified in Table 3 are considered pollution control equipment or techniques for each identified emissions unit:

<b>Table 3 - Pollution Control Equipment Identification</b>			
<b>Pollution Control Equipment Number (PCE#)</b>	<b>Description of Equipment</b>	<b>Minimum Efficiency of Equipment</b>	<b>EU#</b>
PCE1	Silo Cyclone and Filter Bags-Unit #1	Baghouse Filter Efficiency 98.7% (based on max. allowable emissions allowed by Env-A 2103.02)	All units and/or equipment generating wood dust through the use of sanders, lathes, routers, planers, saws, and any other woodworking devices discharging to the baghouse collection system.
PCE2	Silo Cyclone and Filter Bags-Unit #2	Baghouse Filter Efficiency 98.7%	
PCE3	Silo Cyclone and Filter Bags-Unit #3	Baghouse Filter Efficiency 98.7%	
PCE4	Spray Booth Inlet Stack Filters (filtering nitrocellulose and tripoli particulate)	Filter Efficiency of 91%	EU's 1-12
<b>Pollution Control Technique Number (PCT#)</b>	<b>Description of Technique</b>	<b>Minimum Efficiency of Technique</b>	<b>EU#</b>
PCT5	Air-assisted airless spray guns or equivalent	Transfer Efficiency of 60% [for purposes of complying with the requirements of Env-A 2103.02(c)(1)]	EU's 1-12

All equipment, techniques, facilities and systems installed and used to achieve compliance with the terms and conditions of this Permit shall at all times be maintained in good working order and shall be operated in accordance with the minimum efficiencies stipulated in Table 3 and/or in accordance with manufacturers specifications, whichever

is more stringent, so as to minimize air pollutant emissions. Manufacturer's recommended maintenance schedules and specifications shall be kept on file for review by the DES and/or EPA upon request.

## **VII. Alternative Operating Scenarios:**

No alternative operating scenarios were identified for this Permit.

## **VIII. Applicable Requirements:**

### **A. VOC RACT Requirements**

The Permittee is subject to the VOC RACT emission limits and restrictions as contained in section VIII.A. of this Permit. Emission limits and restrictions contained in sections VIII.A.1. through VIII.A.7. are federally enforceable.

1. In accordance with Env-A 1204.17(a) the Permittee is subject to the following VOC RACT requirements set forth in Section VIII.A.2. through VIII.A.7.
2. In accordance with Env-A 1204.17(c), wood burial casket finishing operations at this facility shall be limited at all times to the VOC RACT emission rates stipulated below:
  - (a) Using topcoats with a non-exempt VOC content no greater than 0.8 kg VOC/kg solids (0.8 lb VOC/lb solids), as applied; or
  - (b) Using a finishing system of topcoats and sealers with a non-exempt VOC content no greater than the limits specified below:
    - i. For topcoats, 1.8 kg VOC/kg solids (1.8 lb VOC/lb solids), as applied; and
    - ii. For sealers, 1.9 kg VOC/kg solids (1.9 lb VOC/lb solids), as applied; or
  - (c) Using an averaging approach as described in Env-A 1204.17(f).
3. In accordance with Env-A 1204.17(g), the non-exempt VOC content or amount of organic solvents and strippable booth coatings associated with spray booth cleaning operations for spray booth finishing operations at this facility shall not, at any time, exceed the following limits:
  - (a) For organic solvents used to clean spray booth components other than conveyors, continuous coaters and their enclosures, and/or metal filters of spray booths that are not being refurbished, 8.0% by weight of VOC;
  - (b) For organic solvents used to clean a spray booth that is being refurbished, 1.0 gallon of organic solvent; and
  - (c) For strippable booth coatings, 0.8 kg VOC/kg solids (0.8 lb VOC/lb solids), as applied.
4. In accordance with Env-A 1204.17(h), VOC emissions associated with materials storage or solvent cleaning operations at this facility, shall be controlled as follows:
  - (a) All finishing and cleaning materials shall be stored in a normally closed container;

- (b) All organic solvent used for line cleaning shall be pumped or drained into a normally closed container;
  - (c) All organic solvent used to clean spray guns shall be collected into a normally closed container; and
  - (d) Emissions from washoff operations shall be controlled by:
    - i. Using normally closed tanks for washoff; and
    - ii. Minimizing dripping by tilting or rotating the part to drain as much organic solvent as possible.
  
- 5. In accordance with Env-A 1204.17(i), the following shall be met by the Permittee:
  - (a) For all operations, except those specified in section VIII.A.6 of this Permit, one or more of the following control techniques shall be used:
    - i. High volume-low pressure (HVLP) spray;
    - ii. Airless spray;
    - iii. Air-assisted airless spray;
    - iv. Flow coating techniques.
  
- 6. In accordance with Env-A 1204.17(j), touch-up and repair activities, excluding such activities that employ only compliant coating materials and one or more of the application techniques listed in VIII.A.5., above, shall conform to the following requirements:
  - (a) Touch-up and repair activities using conventional air spray shall comply with one or more of the requirements of Section VIII.A.6.(a), as outlined below:
    - i. The touch-up and repair finishing materials shall be applied after the completion of the finishing operation; or
    - ii. The touch-up and repair finishing materials shall be:
      - 1. Applied after the application of the stain and prior to the application of any other types of finishing material; and
      - 2. Applied from a container with a capacity of not more than 2 gallons; or
    - iii. Total non-exempt VOC consumption associated with touch-up and repair activities using conventional air spray shall not exceed 5 gallons per day at a stationary source; and
  - (b) Consumption of touch-up and repair finishing materials shall not exceed 10 gallons per day where such activities employ:
    - i. The use of aerosol containers; or
    - ii. One or more non-compliant coating materials in conjunction with any of the application techniques listed in VIII.A.5., above.
  
- 7. In accordance with Env-A 1204.02(d), minor core activities of non-exempt VOC at a stationary source, as defined in Env-A 1204.03, having total aggregate emissions of not more than 5 tons per year, combined for all classifiable and unclassifiable processes and/or devices, shall be excluded from the provisions of Env-A 1204.



### VIII. B. State-only Enforceable Operational and Emission Limitations:

The Permittee shall be subject to the state-only operational and emission limitations identified in Table 4 below.

Table 4 - State-only Enforceable Operational and Emission Limitations			
Item #	Regulatory Cite	Applicable Emission Unit	Applicable Requirement
1.	Env-A 1305.01(a)	Facility Wide <sup>3</sup>	New or modified devices, new or modified area sources, and existing devices or area sources for which new applications for permits are filed that have the potential to emit, in any amount, substances that meet the criteria of Env-A1301 shall be subject to Env-A 1300, until such time as the Env-A 1400 requirements supersede the Env-A 1300 requirements. (As outlined below)
2.	Env-A 1305.02	Facility Wide	Air quality impact analysis of devices and area sources emitting substances meeting the criteria of Env-A 1301 shall be performed in accordance with the “DES Policy and Procedure for Air Quality Impact Modeling” or other comparable dispersion modeling methods approved by EPA.
3.	Env-A 1403.01	Facility Wide	In accordance with Env-A 1403.01, new or modified devices or processes installed after May 8, 1998, shall be subject to the requirements of Env-A 1400.
4.	Env-A 1403.02(a)	Facility Wide	In accordance with 1403.02(a), all existing unmodified devices or processes which are in operation during the transition period ending three years from May 8, 1998 (May 8, 2001), shall comply with either Env-A1300 or Env-A 1400.
5.	Env-A 1403.02(b)	Facility Wide	In accordance with Env-A 1403.02(b), all existing devices or processes in operation after the transition period ending three years from May 8, 1998 (May 8, 2001), shall comply with Env-A 1400. Env-A 1300 will no longer be in effect.
6.	Env-A 1404.01(d)	Facility Wide	In accordance with Env-A 1404.01(d), documentation for the demonstration of compliance shall be retained at the site, and shall be made available to the DES for inspection.
7.	Env-A 1405.02	Facility Wide	In accordance with Env-A 1405.02 the owner of an existing device or process requiring a permit modification under chapter Env-A 1400 shall submit to the DES no later than one year prior to the end of the transition period (May 8, 2000), an application for a modification to a title V permit in accordance with Env-A 609.18, and a request to the DES to perform air dispersion modeling.
8.	Env-A 1405.03	Facility Wide	In accordance with Env-A 1405.03 the owner of an existing device or process requiring a permit under Env-A 1300 shall submit to the DES no later than one year prior to the end of the transition period (May 8, 2000), a compliance plan identifying how the device or process will comply with chapter Env-A 1400 by the end of the transition period. The compliance plan shall contain the dates when the information required in Env-A 1405.02 will be filed with the DES.
9.	Env-A 1406.01	Facility Wide	In accordance with Env-A 1406.01 the owner of any device or process which emits a regulated toxic air pollutant shall determine compliance with the ambient air limits by using one of the methods provided in Env-A 1406.02, Env-A 1406.03, or Env-A 1406.04. Upon request, the owner of any device or process which emits a regulated toxic air pollutant shall provide documentation of compliance with the ambient air limits to the DES.

<sup>3</sup> Facility Wide shall include all significant and insignificant activities at the facility.

**Table 4 - State-only Enforceable Operational and Emission Limitations**

10.	Env-A 1300	Facility Wide	Facility-wide emissions of non-exempt VOC shall be limited to <b>348 tons</b> during any consecutive 12 month period.
11.	Env-A 1414.01	Facility Wide	In addition to the requirements of Env-A 1300 and Env-A 1400 where applicable, major sources of hazardous air pollutants and area sources of hazardous air pollutants shall comply with all applicable requirements of section 112 of the Act.

### VIII. C. Federally Enforceable Operational and Emission Limitations

The Permittee shall be subject to the federally enforceable operational and emission limitations identified in Table 5 below.

**Table 5 - Operational and Emission Limitations**

Item #	Regulatory Cite	Applicable Emission Unit	Applicable Requirement
1.	Env-A 1604.01(a)	Facility Wide	The sulfur content of No. 2 oil and off-road diesel oil shall not exceed 0.40 percent sulfur by weight.
2.	Env-A 1605.01	Facility Wide	Gaseous fuel shall contain no more than 15 grains of sulfur per 100 cubic feet of gas, calculated as hydrogen sulfide at standard temperature and pressure.
3.	Env-A 2003.02	Facility Wide	No owner or operator shall cause or allow average opacity from fuel burning devices installed after May 13, 1970 in excess of 20 percent for any continuous 6 minute period in a 60 minute period.
4.	Env-A 2003.07(c)(1)	Facility Wide	No owner or operator shall cause or allow emissions of particulate matter from fuel burning devices with maximum gross heat input rate less than 10 mmBtu/hr installed after May 13, 1970 but before January 1, 1985 in excess of 0.06 lb/mmBtu averaged over a one hour period.
5.	Env-A 2103.02(c)(1)	Facility Wide	<p><u>Calculation of Particulate Matter Emission Standards.</u></p> <p>Particulate matter emissions from a "New Device" (from a process, manufacturing and service based industry) installed after February 18, 1972 with a process weight rate up to 60,000 pounds per hour, shall not exceed the emission rate (in pounds per hour) averaged over a one hour period as specified in the formula below, where P (the process weight rate in tons per hour) shall be raised to the 0.67 power and multiplied by 4.10:</p> $E = 4.10 P^{0.67}$
6.	Env-A 2107.01(a)	Facility Wide	Unless otherwise specified in Env-A 2100, no person shall cause or allow visible fugitive emissions or visible stack emissions for any process, manufacturing or serviced-based industry subject to this chapter to exceed an average of 20 percent opacity for any continuous 6-minute period in any 60 minute period, except where opacity is specified differently for fuel burning devices in Env-A 2003.
7.	40 CFR 51	EU #s 4&8	Emissions of non-exempt VOC from EU 4 and EU 8, combined, shall be less than 40 tons during any consecutive 12 month period (NSR avoidance).

**VIII. D. Emission Reductions Trading Requirements**

The Permittee did not request emissions reduction trading in its operating permit application. At this point, DES has not included any permit terms authorizing emissions trading in this permit. All emission reductions trading, must be authorized under the applicable requirements of either Env-A-3000 (the “Emissions Reductions Credits (or ERCs) Trading Program”) or Env-A-3100 (the “Discrete Emissions Reductions (or DEC) Trading Program”) and 42 U.S.C. §7401 et seq. (The “Act”), and must be provided for in this permit.

# **VIII. E. Monitoring/Testing Requirements**

The Permittee is subject to the monitoring/ testing requirements as contained in Table 6 below:

<b>Table 6 - Monitoring/Testing Requirements</b>					
<b>Item #</b>	<b>Control Device</b>	<b>Parameter</b>	<b>Method of Compliance</b>	<b>Frequency of Method</b>	<b>Regulatory Cite</b>
1.	Silo Cyclone and Filter Bag-Units 1,2&3	Total Suspended Particulate (wood dust)	<p>Establish a pressure differential range representative of normal daily Baghouse operations and in accordance with manufacturers recommended operating parameters.</p> <p>Conduct daily monitoring of pressure differential of each unit, or perform daily observations of opacity in accordance with Method 22, 40 CFR Part 60, Appendix A. Daily monitoring of pressure differential required by this condition may be accomplished by daily use of ink recorders to record continuous reading of the pressure differential for each unit or by daily observations of the magnehelic gauges located at each unit and recordation of the pressure reading indicated by each gauge. All data generated shall be kept on file at the facility and made available to the DES and/or EPA upon request.</p> <p>Conduct preventative maintenance necessary to ensure the operation of each unit in a manner consistent with manufacturer's recommendations. Manufacturer's recommendations regarding unit operation shall be kept on file at the facility and made available to the DES and/or EPA upon request.</p> <p>Conduct an annual inspection of each unit. The inspection shall be conducted by plant personnel familiar with the operation of the device and equipment. Records of inspections and subsequent maintenance conducted shall be kept on file at the facility for review by the DES and/or EPA upon request.</p>	Daily and annually as specified.	Env-A 806.01(4) and 40 CFR Part 70.6(a)(3) Federally Enforceable

**Table 6 - Monitoring/Testing Requirements**

2.	Spray Booth Filters	Total Suspended Particulate (nitrocellulose and tripoli)	<p>Establish a pressure differential range across the spray booth filters in accordance with manufacturers recommended operating parameters, representative of normal daily operations of the filter-equipped spray booths.</p> <p>Conduct daily monitoring of pressure differential of each spray booth. Daily monitoring of pressure differential required by this condition may be accomplished by daily use of ink recorders to record continuous readings of the pressure differential for each spray booth or by daily observations of the manometers for each spray booth and recordation of the pressure reading indicated by each manometer. All data generated shall be kept on file at the facility and made available to the DES and/or EPA upon request.</p> <p>Maintain at the facility records for each spray booth including the dates spray booth filters are changed and make such records available to the DES and/or EPA upon request.</p>	Daily as specified herein	Env-A 806.01(4) and 40 CFR Part 70.6(a)(3) Federally Enforceable
3.	Low VOC Coatings	Control of VOC emissions through the use of compliant coatings	When compliance is by low-VOC coatings, the VOC content and applicable physical properties shall be determined using Method 24, 40 CFR 60, Appendix A at 1-hour bake time. Coating manufacturer's test results (as determined by Method 24) may be used by the Permittee to demonstrate compliance. If coating manufacturer's test results are used, then the Permittee shall ensure that these results are representative of each compliant coating as it is applied at the Facility. Results shall be presented as lb. of VOC per lb. of solids.	Upon use of VOC coatings subject to RACT	Env-A 803.03 Federally Enforceable
4.	Facility Stacks and boilers	Allows for adequate dispersion of HAPs and other regulated pollutants	Conduct an annual inspection of each stack and fuel burning device. Records of inspections and subsequent maintenance conducted as a result of the annual inspections shall be kept on file at the Facility for review by the DES and/or EPA upon request.	Annually	Env-A 806.01(4) and 40 CFR 70.6(a)(3) Federally Enforceable

# **VIII. F. Record keeping Requirements**

The Permittee is subject to the Record keeping requirements as contained in Table 7 below:

<b>Table 7 - Applicable Record keeping Requirements</b>				
Item #	Record keeping Requirement	Frequency of Record keeping	Applicable Emission Unit	Regulatory Cite Federally Enforceable or State-Only Enforceable
1.	The Permittee shall retain records of all required monitoring data, record keeping and reporting requirements and support information for a period of at least 5 years from the date of the origination.	Retain for a minimum of 5 years	Facility Wide	40 CFR 70.6(a)(3)(ii)(B) Federally Enforceable
2.	<p>The Permittee shall maintain records of monitoring and testing conducted as a result of the requirements specified in Table 6 of this Permit, including:</p> <ul style="list-style-type: none"> <li>(a) Monitoring of pressure differential and preventative maintenance results for silo cyclones and filter bag units # 1-3;</li> <li>(b) Inspection and monitoring of pressure differential results for stain and lacquer/sealer booth filters;</li> <li>(c) Method 24 40 CFR 60, Appendix A, low-VOC coating results in lb VOC/ lb solids (representative of each compliant coating as applied);</li> <li>(d) Preventative maintenance and inspection results for stacks and fuel burning devices.</li> </ul>	Maintain on a continuous basis as specified in Table 6 of this permit	Facility Wide	40 CFR 70.6(a)(3)(iii) (A) Federally Enforceable

**Table 7 - Applicable Record keeping Requirements**

3.	<p><u><b>VOC Record keeping Requirements</b></u> To satisfy the applicable requirements of Env-A 901.04 &amp; Env-A 901.06, The Permittee shall record the following information:</p> <p>(a) Facility information including:</p> <ul style="list-style-type: none"> <li>(i) Source name</li> <li>(ii) Source identification</li> <li>(iii) Physical address</li> <li>(iv) Mailing address</li> <li>(v) Date of origination for reports</li> <li>(vi) Facility contact and title</li> <li>(vii) Facility telephone number</li> </ul> <p>(b) The following production, coating usage and VOC emissions data shall be recorded on a monthly and a rolling consecutive 12 month basis:</p> <ul style="list-style-type: none"> <li>(i) Coating Name;</li> <li>(ii) Maximum weight percentage of VOC in each coating;</li> <li>(iii) Total combined monthly usage of each coating (in pounds or tons);</li> <li>(iv) Total combined VOC emissions of each coating (in pounds or tons);</li> <li>(v) A break down of VOC emissions, by coating type, for each individual emission unit for EU#1 through EU #12;</li> <li>(vi) Total combined monthly VOC emissions (in pounds or tons) from EU#4 and EU#8;</li> <li>(vii) Total monthly number of units produced; and</li> <li>(viii) Total monthly hours of production.</li> </ul>	Monthly and Rolling Consecutive 12 Month Basis	EU #s 1-12	Env-A 901.04 and Env-A 901.06(d) Federally Enforceable
----	--	--	------------	--

**Table 7 - Applicable Record keeping Requirements**

4.	<p>For all surface coating operations, in addition to the requirements of 901.06(d), the following information shall be recorded and maintained:</p> <p>(a) Coating formulation and analytical data, as follows:</p> <ul style="list-style-type: none"> <li>(i) Supplier;</li> <li>(ii) Name and color;</li> <li>(iii) Type;</li> <li>(iv) Identification number;</li> <li>(v) Density described as lbs/gal;</li> <li>(vi) Total volatile content described as weight percent;</li> <li>(vii) Water content described as weight percent;</li> <li>(viii) Exempt solvent content described as weight percent;</li> <li>(ix) VOC content described as weight percent;</li> <li>(x) Solids content described as volume percent; and</li> </ul> <p>(b) For all surface coating operations using diluents:</p> <ul style="list-style-type: none"> <li>(i) Diluent name and identification number;</li> <li>(ii) Diluent solvent density described in lbs/gal;</li> <li>(iii) Diluent VOC content described as weight percent;</li> <li>(iv) Diluent exempt solvent content described as weight percent;</li> <li>(v) Volume of diluent VOC described as gal; and</li> <li>(vi) Diluent/solvent ratio described as gal diluent solvent/gal coating.</li> </ul>	Maintain at facility at all times.	EU #s 1-12	Env-A 901.06(e)(1) Federally Enforceable
5.	<p>The Permittee shall record process information for each coating line for both the normal operation schedule and for a typical high ozone season day, if different from the normal operating schedule, including:</p> <ul style="list-style-type: none"> <li>(a) Method of application;</li> <li>(b) Number of coats for coating operations;</li> <li>(c) Drying method, time and temperature at drying device;</li> <li>(d) Substrate type and form;</li> <li>(e) Transfer efficiency information;</li> <li>(f) Control equipment data;</li> <li>(g) Days/calender week, Hrs/yr, Hrs/day; and</li> <li>(h) Seasonal usage percentage</li> </ul>	Maintain at facility at all times.	EU#s 1-12	Env-A 901.06(e)(3) & 901.06(h) Federally Enforceable



**Table 7 - Applicable Record keeping Requirements**

6.	The Permittee shall record monthly fuel utilization which shall contain the following information:  (a) Consumption (b) Fuel type; (c) Sulfur content as percent sulfur by weight of fuel; and (d) Btu content per gallon or cubic feet of fuel.	Maintain at facility at all times.	Fuel burning devices	Env-A 901.03 Federally Enforceable
7.	The Permittee shall quantify actual emissions from insignificant activities for determination of emission based fees.	Maintain at facility at all times.	Insignificant activities	Env-A 901.04 Federally Enforceable

### VIII. G. Reporting Requirements

The Permittee is subject to the reporting requirements as contained in Table 8 below:

**Table 8 - Applicable Reporting Requirements**

Item #	Reporting Requirement	Frequency of Reporting	Applicable Emission Unit	Regulatory Cite Federally Enforceable or State-Only Enforceable
1.	By April 15th of each year, the Permittee shall submit to the DES a report for the previous calendar year (January 1st through December 31st) containing information required to be recorded pursuant to Section VIII.F.Items 3 through 7.	Annually (no later than April 15th of the following year)	EU#s 1-12	Env-A 901.07(c) Federally Enforceable
2.	Prompt reporting of malfunctions and deviations from Permit requirements shall be conducted in accordance with Section XXVIII.A and XXVIII.B respectively, of this Permit.	Prompt reporting as specified in Section XXVIII of this Permit.	Facility Wide	Env-A 902.02 & 40 CFR 70.6(a)(3)(iii) (B) Federally Enforceable
3.	The Permittee shall submit to DES a summary report of monitoring and testing requirements every 6 months. All instances of deviations from Permit requirements must clearly be identified in such reports. The report shall contain a summary of the following information:  (a) Monitoring and preventative maintenance results for silo cyclones and filter bag units # 1-3; (b) Inspection and monitoring results for stain and lacquer/sealer booth filters; (c) Method 24 40 CFR 60, Appendix A, low-VOC coating results in lb VOC/ lb solids ; (d) Preventative maintenance and inspection results for stacks and fuel burning devices.	Every 6 months by July 31st and January 31st of each calendar year.	Facility Wide	40 CFR 70.6(a)(3)(iii) (A) Federally Enforceable

Table 8 - Applicable Reporting Requirements				
4.	<p><u>VOC Reporting Requirements</u> To satisfy the requirements of Env-A 901.07, the Permittee shall report the following information on a monthly basis:</p> <p>(a) Facility information including:</p> <ul style="list-style-type: none"> <li>(i) Source name</li> <li>(ii) Source identification</li> <li>(iii) Physical address</li> <li>(iv) Mailing address</li> <li>(v) Date of origination for reports</li> <li>(vi) Facility contact and title</li> <li>(vii) Facility telephone number</li> </ul> <p>(b) The following production, coating usage and VOC emissions data shall be recorded on a monthly and a rolling consecutive 12 month basis:</p> <ul style="list-style-type: none"> <li>(i) Coating Name;</li> <li>(ii) Maximum weight percentage of VOC in each coating;</li> <li>(iii) Total combined monthly usage of each coating (in pounds or tons) for EU#1 through EU#12;</li> <li>(iv) Total combined VOC emissions of each coating (in pounds or tons);</li> <li>(v) A break down of VOC emissions, by coating type;</li> <li>(vi) Total combined monthly VOC emissions (in pounds or tons) from EU#4 and EU#8;</li> <li>(vii) Total monthly number of units produced; and</li> <li>(viii) Total monthly hours of production.</li> </ul> <p>(c) Information required by Section VIII. F. Table 7. Item 4 for any new coatings used at the facility.</p>	Within 15 days of the end of the month, on a monthly basis.	Facility Wide, EU#s 1-12	901.07(b) and 901.07(c) Federally Enforceable
5.	Any report submitted to the DES and/or EPA shall include the certification of accuracy statement as outlined in Section XXI.B. of this Permit and shall be signed by the responsible official.	As specified	Facility Wide	40 CFR 70.6(c)(1) Federally Enforceable
6.	Annual reporting and payment of emission based fees shall be conducted in accordance with Section XXIII of this Permit	Annually	Facility Wide	Env-A 704.03 Federally Enforceable
7.	Annual compliance certification shall be submitted in accordance Section XXI of this Permit.	Annually	Facility Wide	40 CFR 70.6(c)(1) Federally Enforceable

**IX. Requirements Currently Not Applicable:**

At the time of issuance of this Permit, the Permittee is not currently subject to the requirements identified in Table 9:

<b>Table 9 - Requirements Currently Not Applicable</b>	
<b>Statutes and Regulations</b>	<b>Reason</b>
CAA section 111, 42 U.S.C. 7411	Requirements establishing new source performance standards.
CAA section 112(g), 42 U.S.C. 7412	Requirement to establish case-by-case MACT standard for construction of new sources and modifications of existing sources.
CAA section 112(j), 42 U.S.C. 7412	Requirement to establish case-by-case MACT standard where EPA is late in promulgating MACT standard for a particular source category.
CAA section 123, 42 U.S.C. 7423	Requirement establishing stack height standards and restrictions.
CAA Subchapter VI, 42 U.S.C. 7671a-p and 40 CFR Part 82	Requirement relating to stratospheric ozone protection.
40 CFR 61	National emission standards for hazardous air pollutants.
40 CFR 63	National emissions standards for hazardous air pollutants for source categories.
Env-A 406	Record keeping and reporting requirements governing the state acid deposition control program.
Env-A 607.01(j)	Requirement to obtain a permit for a woodworking device employing a pneumatic transfer system, using a cyclone but no baghouse.
Env-A 608	Provisions governing state permits to operate issued by DES. Not applicable once Title V permit is issued. Title V permit will govern.
Env-A 610	Provisions governing general permits issued by DES. Not applicable once Title V is issued, Title V permit will govern.
Env-A 611	General acid rain permitting requirements for sources subject to Title IV Clean Air Act.
Env-A 613	Additional permitting requirements for sources proposing use of the bubble concept.
Env-A 702 and 703	Permit fee and permit review fees for non-Title V programs.
Env-A 901.07(g)	VOC reporting requirements for miscellaneous sources.
Env-A 901.08	Record keeping requirements for NOx emitting devices.
Env-A 901.09	Reporting requirements for NOx emitting devices.
Env-A 901.12	Record keeping requirements for sources operating continuous emissions monitoring systems.
Env-A 901.13	Record keeping requirements for sources using periodic and enhanced monitoring.
Env-A 2106	Emission standards for acid mists process, manufacturing and service industries.
Env-A 2003.08	Particulate emission standards for fuel burning devices installed on or after January 1, 1985.

**Table 9 - Requirements Currently Not Applicable**

Env-A 1204.09-1204.16, and 1204.18-1204.26	VOC RACT requirements for specific source categories other than wood burial caskets.
Env-A 1211	RACT requirements specific to the control of nitrogen oxides.

## **General Title V Operating Permit Conditions**

### **X. Issuance of a Title V Operating Permit:**

- A. This Permit is issued in accordance with the provisions of Part Env-A 609. In accordance with 40 CFR 70.6(a)(2) this Permit shall expire on the date specified on the cover page of this Permit, which shall not be later than the date five (5) years after issuance of this Permit.

Permit expiration terminates the Permittee's right to operate the Permittee's emission units, control equipment or associated equipment covered by this permit, unless a timely and complete renewal application is submitted at least 6 months before the expiration date.

- B. Pursuant to Env-A 609.02(b), this Permit shall be a state permit to operate as defined in RSA 125-C:11, III.

### **XI. Title V Operating Permit Renewal Procedures:**

Pursuant to Env-A 609.06(b), an application for renewal of this Permit shall be considered timely if it is submitted to the Director at least six months prior to the designated expiration date of this Permit.

### **XII. Application Shield:**

Pursuant to Env-A 609.07, if an applicant submits a timely and complete application for the issuance or renewal of a Permit, the failure to have a Permit shall not be considered a violation of this part until the Director takes final action on the application.

### **XIII. Permit Shield:**

- A. Pursuant to Env-A 609.08(a), a permit shield shall provide that:
1. For any applicable requirement or any state requirement found in the New Hampshire Rules Governing the Control of Air Pollution specifically included in this Permit, compliance with the conditions of this Permit shall be deemed compliance with said applicable requirement or said state requirement as of the date of permit issuance; and
  2. For any potential applicable requirement or any potential state requirement found in the New Hampshire Rules Governing the Control of Air Pollution specifically identified in this Title V Operating Permit Section IX Table 8 as not applicable to the stationary source or area source, the Permittee need not comply with the specifically identified federal or state requirements.
- B. The permit shield identified in Section XIII.A. of this Permit shall apply only to those conditions

incorporated into this Permit in accordance with the provisions of Env-A 609.08(b). It shall not apply to certain conditions as specified in Env-A 609.08(c) that may be incorporated into this Permit following permit issuance by DES.

- C. If a Title V Operating Permit and amendments there to issued by the DES does not expressly include or exclude an applicable requirement or a state requirement found in the NH Rules Governing the Control of Air Pollution, that applicable requirement or state requirement shall not be covered by the permit shield and the Permittee shall comply with the provisions of said requirement to the extent that it applies to the Permittee.
- D. If the DES determines that this Title V Operating Permit was issued based upon inaccurate or incomplete information provided by the applicant or Permittee, any permit shield provisions in said Title V Operating Permit shall be void as to the portions of said Title V Operating Permit which are affected, directly or indirectly, by the inaccurate or incomplete information.
- E. Pursuant to Env-A 609.08(f), nothing contained in Section XIII of this Permit shall alter or affect the ability of the DES to reopen this Permit for cause in accordance with Env-A 609.18 or to exercise its summary abatement authority.
- F. Pursuant to Env-A 609.08(g), nothing contained in this section or in any title V operating permit issued by the DES shall alter or affect the following:
  - 1. The ability of the DES to order abatement requiring immediate compliance with applicable requirements upon finding that there is an imminent and substantial endangerment to public health, welfare, or the environment;
  - 2. The state of New Hampshire's ability to bring an enforcement action pursuant to RSA 125-C:15,II;
  - 3. The provisions of section 303 of the Act regarding emergency orders including the authority of the EPA Administrator under that section;
  - 4. The liability of an owner or operator of a source for any violation of applicable requirements prior to or at the time of permit issuance;
  - 5. The applicable requirements of the acid rain program, consistent with section 408(a) of the Act;
  - 6. The ability of the DES or the EPA Administrator to obtain information about a stationary source, area source, or device from the owner or operator pursuant to section 114 of the Act; or
  - 7. The ability of the DES or the EPA Administrator to enter, inspect, and/or monitor a stationary source, area source, or device.

#### **XIV. Reopening for Cause:**

The Director shall reopen and revise a Title V Operating Permit for cause if any of the circumstances contained in Env-A 609.18(a) exist. In all proceedings to reopen and reissue a Title V Operating Permit, the Director shall follow the provisions specified in Env-A 609.18(b) through (g).

**XV. Administrative Permit Amendments:**

- A. Pursuant to Env-A 612.01, the Permittee may implement the changes addressed in the request for an administrative permit amendment as defined in Part Env-A 100 immediately upon submittal of the request.
- B. Pursuant to Env-A 612.01, the Director shall take final action on a request for an administrative permit amendment in accordance with the provisions of Env-A 612.01(b) and (c).

**XVI. Operational Flexibility:**

- A. Pursuant to Env-A 612.02(a), the Permittee subject to and operating under this Title V Operating Permit may make changes involving trading of emissions under this existing Title V Operating Permit at the permitted stationary source or area source without filing a Title V Operating Permit application for and obtaining an amended Title V Operating Permit, provided that all the conditions are met as specified in section XVI. A. 1. through 7. of this permit and a notice is submitted to the DES and EPA describing the intended changes. At this point, DES has not included any permit terms authorizing emissions trading in this permit.
  - 1. The change is not a modification under any provision of title I of the Act;
  - 2. The change does not cause emissions to exceed the emissions allowable under the title V operating permit, whether expressed therein as a rate of emissions or in terms of total emissions;
  - 3. The owner or operator has obtained any temporary permit required by Env-A 600;
  - 4. The owner or operator has provided written notification to the director and administrator at least 15 days prior to the proposed change and such written notification includes:
    - a. The date on which each proposed change will occur;
    - b. A description of each such change;
    - c. Any change in emissions that will result and how this change in emissions will comply with the terms and conditions of the permit;
    - d. A written request that the operational flexibility procedures be used; and
    - e. The signature of the responsible official, consistent with Env-A 605.04(b);
  - 5. The Title V Operating Permit issued to the stationary source or area source already contains terms and conditions including all terms and conditions which determine

compliance required under 40 CFR 70.6(a) and (c) and which allow for the trading of emissions increases and decreases at the permitted stationary source or area source solely for the purpose of complying with a federally-enforceable emissions cap that is established in the permit independent of otherwise applicable requirements;

6. The owner or operator has included in the application for the Title V Operating Permit proposed replicable procedures and proposed permit terms which ensure that the emissions trades are quantifiable and federally enforceable for changes to the Title V Operating Permit which qualify under a federally- enforceable emissions cap that is established in the Title V Operating Permit independent of the otherwise applicable requirements; and
  7. The proposed change complies with Env-A 612.02 (e).
- B. Pursuant to Env-A 612.02(c), the Permittee subject to and operating under this Title V Operating Permit may make changes not addressed or prohibited by this existing Title V Operating Permit at the permitted stationary source or area source without filing a Title V Operating Permit application, provided that all the conditions specified in Env-A 612.02(c)(1) through (6) are met and a notice is submitted to the DES and EPA describing the intended changes.
  - C. Pursuant to Env-A 612.02(d), the Permittee, Operator, Director and Administrator shall attach each notice of an off-permit change completed in accordance with Section XVI of this Title V Operating Permit to their copy of the current Title V Operating Permit.
  - D. Pursuant to Env-A 612.02(e), any change under Section XVI shall not exceed any emissions limitations established under the NH Rules Governing the Control of Air Pollution, or result in an increase in emissions, or result in new emissions, of any toxic air pollutant or hazardous air pollutant other than those listed in the existing Permit.
  - E. Pursuant to Env-A 612.02(f), the off-permit change shall not qualify for the permit shield under Env-A 609.08.

## **XVII. Minor Permit Amendments:**

- A. Pursuant to Env-A 612.04 prior to implementing a minor permit modification, the Permittee shall submit a written request to the Director in accordance with the requirements of Env-A 612.04(b).
- B. The Director shall take final action on the minor permit amendment request in accordance with the provisions of Env-A 612.04(c) through (g).
- C. Pursuant to Env-A 612.04(g), the permit shield specified in Env-A 609.08 shall not apply to minor permit amendments under Section XVII. of this Permit.
- D. Pursuant to Env-A 612.04(i), the Permittee shall be subject to the provisions of Part Env-A 614 and Part Env-A 615 if the change is made prior to the filing with the Director a request for a minor permit amendment.

## **XVIII. Significant Permit Amendments:**

- A. Pursuant to Env-A 612.05, a change at the facility shall qualify as a significant permit amendment if it meets the criteria specified in Env-A 612.05(a)(1) through (7).
- B. Prior to implementing the significant permit amendment, the Permittee shall submit a written request to the Director which includes all the information as referenced in Env-A 612.05(b) and (c) and shall be issued an amended Title V Operating Permit from the DES. The Permittee shall be subject to the provisions of Env-A 614 and Env-A 615 if a request for a significant permit amendment is not filed with the Director and/or the change is made prior to the issuance of an amended Title V Operating Permit.
- C. The Director shall take final action on the significant permit amendment in accordance with the procedures specified in Env-A 612.05(d), (e) and (f).

**XIX. Title V Operating Permit Suspension, Revocation or Nullification:**

- A. Pursuant to RSA 125-C:13, the Director may suspend or revoke any final permit issued hereunder if, following a hearing, the Director determines that:
  - 1. the Permittee has committed a violation of any applicable statute or state requirement found in the New Hampshire Rules Governing the Control of Air Pollution, order or permit condition in force and applicable to it; or
  - 2. that the emissions from any device to which this Permit applies, alone or in conjunction with other sources of the same pollutants, presents an immediate danger to the public health.
- B. The Director shall nullify any Permit, if following a hearing in accordance with RSA 541-A:30, II, a finding is made that the Permit was issued in whole or in part based upon any information proven to be intentionally false or misleading.

**XX. Inspection and Entry:**

Pursuant to Env-A 614.01, EPA and DES personnel shall be granted access to the facility covered by this Permit, in accordance with RSA 125-C:6,VII for the purposes of: inspecting the proposed or permitted site; investigating a complaint; and assuring compliance with any applicable requirement or state requirement found in the NH Rules Governing the Control of Air Pollution and/or conditions of any Permit issued pursuant to Chapter Env-A 600.

**XXI. Certifications:**

- A. Compliance Certification Report

In accordance with 40 CFR 70.6(c) the Responsible Official shall certify, for the previous calendar year, that the facility is in compliance with the requirements of this permit. The report shall be submitted annually, no later than April 15th of the following year. The report shall be submitted to



the DES and to the U.S. Environmental Protection Agency - New England Region. The report shall be submitted in compliance with the submission requirements below.

In accordance with 40 CFR 70.6(c)(5), the report shall describe:

1. The terms and conditions of the Permit that are the basis of the certification;
2. The current compliance status of the source with respect to the terms and conditions of this Permit, and whether the method was continuous or intermittent during the reporting period;
3. The methods used for determining compliance, including a description of the monitoring, record keeping, and reporting requirements and test methods; and
4. Any additional information required by the DES to determine the compliance status of the source.

**B. Certification of Accuracy Statement**

All documents submitted to the DES shall contain a certification of accuracy statement by the responsible official of truth, accuracy, and completeness. Such certification shall be in accordance with the requirements of 40 CFR 70.5(d) and contain the following language:

"I am authorized to make this submission on behalf of the facility for which the submission is made. Based on information and belief formed after reasonable inquiry, I certify that the statements and information in the enclosed documents are to the best of my knowledge and belief true, accurate and complete. I am aware that there are significant penalties for submitting false statements and information or omitting required statements and information, including the possibility of fine or imprisonment."

All reports submitted to DES (except those submitted as emission based fees as outlined in Section XXIII of this Permit) shall be submitted to the following address;

New Hampshire Department of Environmental Services  
Air Resources Division  
6 Hazen Drive  
P.O. Box 95  
Concord, NH 03302-0095  
ATTN: Compliance Bureau

All reports submitted to EPA shall be submitted to the following address;

Office of Environmental Stewardship  
Director Air Compliance Program  
United States Environmental Protection Agency  
1 Congress Street  
Suite 1100 (SEA)  
Boston, MA 02114-2023  
ATTN: Air Compliance Clerk

**XXII. Enforcement:**

Any noncompliance with a permit condition constitutes a violation of RSA 125-C:15, and, as to the conditions in this permit which are federally enforceable, a violation of the Clean Air Act, 42 U.S.C. Section 7401 et seq., and is grounds for enforcement action, for permit termination or revocation, or for denial of an operating permit renewal application by the DES and/or EPA. Noncompliance may also be grounds for assessment of administrative, civil or criminal penalties in accordance with RSA 125-C:15 and/or the Clean Air Act. This Permit does not relieve the Permittee from the obligation to comply with any other provisions of RSA 125-C, the New Hampshire Rules Governing the Control of Air Pollution, or the Clean Air Act, or to obtain any other necessary authorizations from other governmental agencies, or to comply with all other applicable Federal, State, or Local rules and regulations, not addressed in this Permit.

In accordance with 40 CFR 70.6 (a)(6)(ii) a Permittee shall not claim as a defense in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this Permit.

**XXIII. Emission-Based Fee Requirements:**

- A. The Permittee shall pay an emission-based fee annually for this facility as calculated each calendar year pursuant to Env-A 704.03.
- B. The Permittee shall determine the total actual annual emissions from the facility to be included in the emission-based multiplier specified in Env-A 704.03(a) for each calendar year in accordance with the methods specified in Env-A 620.
- C. The Permittee shall calculate the annual emission-based fee for each calendar year in accordance with the procedures specified in Env-A 704.03 and the following equation:

$$FEE = E ( DPT ( CPI_m ( ISF$$

Where:

FEE = The annual emission-based fee for each calendar year as specified in Env-A 704.  
 E = The emission-based multiplier is based on the calculation of total annual emissions as specified in Env-A 704.02 and the provisions specified in Env-A 704.03(a).  
 DPT = The dollar per ton fee the DES has specified in Env-A 704.03(b).  
 CPI<sub>m</sub> = The Consumer Price Index Multiplier as calculated in Env-A 704.03(c).  
 ISF = The Inventory Stabilization Factor as specified in Env-A 704.03(d).

- D. The Permittee shall contact the DES each calendar year for the value of the Inventory Stabilization Factor.
- E. The Permittee shall contact the DES each calendar year for the value of the Consumer Price Index Multiplier.
- F. The Permittee shall submit, to the DES, payment of the emission-based fee and a summary of the calculations referenced in Sections XXIII.B. and C of this Permit for each calendar year by October

15<sup>th</sup> of the following calendar year in accordance with Env-A 704.04. The emission-based fee and summary of the calculations shall be submitted to the following address:

New Hampshire Department of Environmental Services  
Air Resources Division  
6 Hazen Drive  
P.O. Box 0095  
Concord, NH 03302-0095  
ATTN.: Emissions Inventory

- G.** The DES shall notify the Permittee of any under payments or over payments of the annual emission-based fee in accordance with Env-A 704.05.

#### **XXIV. Duty To Provide Information**

In accordance with 40 CFR 70.6 (a)(6)(v), upon the DES's written request, the Permittee shall furnish, within a reasonable time, any information necessary for determining whether cause exists for modifying, revoking and reissuing, or terminating the Permit, or to determine compliance with the Permit. Upon request, the Permittee shall furnish to the DES copies of records that the Permittee is required to retain by this Permit. The Permittee may make a claim of confidentiality as to any information submitted pursuant to this condition in accordance with Part Env-A 103 at the time such information is submitted to DES. DES shall evaluate such requests in accordance with the provisions of Part Env-A 103.

#### **XXV. Property Rights**

Pursuant to 40 CFR 70.6 (a)(6)(iv), this Permit does not convey any property rights of any sort, or any exclusive privilege.

#### **XXVI. Severability Clause**

Pursuant to 40 CFR 70.6 (a)(5), the provisions of this Permit are severable, and if any provision of this Permit, or the application of any provision of this Permit to any circumstances is held invalid, the application of such provision to other circumstances, and the remainder of this Permit, shall not be affected thereby.

#### **XXVII. Emergency Conditions**

Pursuant to 40 CFR 70.6 (g), the Permittee shall be shielded from enforcement action brought for noncompliance with technology based<sup>4</sup> emission limitations specified in this Permit as a result of an emergency<sup>5</sup>. In order to use emergency as an affirmative defense to an action brought for noncompliance,

---

<sup>4</sup> Technology based emission limits are those established on the basis of emission reductions achievable with various control measures or process changes (e.g., a new source performance standard) rather than those established to attain health based air quality standards.

<sup>5</sup> An "emergency" means any situation arising from sudden and reasonably unforeseeable events beyond the control of the source, including acts of God, which situation would require immediate corrective action to restore normal operation, and that causes the source to exceed a technology based limitation under the permit, due to unavoidable increases in emissions attributable to the emergency. An emergency shall not include noncompliance to the extent caused by improperly designed equipment, lack of preventative maintenance, careless or improper operations, operator error or decision to keep operating despite knowledge of any of these things.

the Permittee shall demonstrate the affirmative defense through properly signed, contemporaneous operating logs, or other relevant evidence that:

- A. An emergency occurred and that the Permittee can identify the cause(s) of the emergency;
- B. The permitted facility was at the time being properly operated;
- C. During the period of the emergency, the Permittee took all reasonable steps as expeditiously as possible, to minimize levels of emissions that exceeded the emissions standards, or other requirements in this Permit; and
- D. The Permittee submitted notice of the emergency to the DES within two (2) business days of the time when emission limitations were exceeded due to the emergency. This notice must contain a description of the emergency, any steps taken to mitigate emission, and corrective actions taken.

#### **XXVIII. Permit Malfunctions and Deviations**

- A. Pursuant to Env-A 902.02, the Permittee shall report to the DES all instances of malfunctions or breakdowns by telephone or fax within 8 hours of such an occurrence. This report shall include the description of the malfunction or breakdown itself, including those attributable to upset conditions as defined in the Permit, the probable cause of such malfunction or breakdown, and any corrective actions or preventative measures taken. Said Permit malfunction or breakdown shall also be submitted in writing to the DES within fifteen (15) days of documentation of the malfunction or breakdown by facility personnel. Malfunctions are instances where any Permit condition is violated as defined in Env-A 101.164 and 40 CFR 60.2 and has not already been reported as an emergency pursuant to Section XXVII of this Permit.

Reporting a Permit malfunction or breakdown is not an affirmative defense for action brought for noncompliance.

- B. In accordance with 40 CFR 70.6(a)(3)(iii)(B), the Permittee shall report to the DES all instances of deviations from Permit requirements, by telephone or fax, within 24 hours of such deviation. This report shall include the deviation itself, including those attributable to upset conditions, the probable cause of such deviations, and any corrective actions or preventative measures taken. Said Permit deviation shall also be submitted in writing to the DES within fifteen (15) days of documentation of the deviation by facility personnel. Deviations are instances where any Permit condition is violated and has not already been reported as a malfunction or an emergency pursuant to Section XXVII of this Permit.

Reporting a Permit deviation is not an affirmative defense for action brought for noncompliance.

revised 09-30-98

## Supplemental Information:

<b>Table 2 - Insignificant and Minor-Core Related Activity Identification</b>		
<b>Insignificant Activity Number (EU#)</b>	<b>Description of Insignificant and Minor-Core Related Activity</b>	<b>Emissions Unit Maximum Design Capacity or Emission Rate</b>
IA1	Puttying	<150 lbs/yr VOC
IA2	Specialty Sealer Mixing	N/A
IA3	Sanding Testing	<50 lbs/yr VOC
IA4	Ink Wheel Preparation	<20 lbs/yr VOC
IA5	Wood Labeling	< 200 lbs/yr VOC
IA6	Fabric Cleaning	<550 lbs/yr VOC
IA7	Chemical Compound Transfers	N/A
IA8	Polishing	<600 lbs/yr VOC
IA9	Rubbing Lube	<1100 lbs/yr VOC
IA10	Aerovent #1 Natural Gas Combustion Unit	2 mmBtu/hr
IA11	Aerovent #2 Natural Gas Combustion Unit	3 mmBtu/hr
IA12	Aerovent #3 Natural Gas Combustion Unit	2 mmBtu/hr
IA13	Aerovent #4 Natural Gas Combustion Unit	3 mmBtu/hr
IA14	Drying Oven #1 (No. 2 Fuel Oil)	0.5 mmBtu/hr
IA15	Drying Oven #2 (Natural Gas)	0.5 mmBtu/hr
IA16	Drying Oven #3 (Natural Gas)	0.5 mmBtu/hr
IA17	Hartzel Tube Axial HTR #1 (Natural Gas)	0.7 mmBtu/hr
IA18	Hartzel Tube Axial HTR #2 (Natural Gas)	0.7 mmBtu/hr
IA19	King Air Curtain (Natural Gas)	1.26 mmBtu/hr
IA20	York Shipley #1 (No. 2 Fuel Oil)	5.96 mmBtu/hr
IA21	York Shipley #2 (No. 2 Fuel Oil)	5.96 mmBtu/hr
IA22	Industrial Boiler (No. 2 Fuel Oil)	1.24 mmBtu/hr